

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

D-1 ANGELO FOSTER, AKA CHRIS
D-2 BRANDY KING,
D-3 JUAN BAYOLO, M.D.,
D-4 RENE GONZALEZ GARCIA, M.D.,
D-5 LATRINA LATRICE WILLIAMS, and
D-6 EDWARD KING, AKA ALEX

Defendants.

Case: 2:22-cr-20563
Assigned To : Borman, Paul D.
Referral Judge: Patti, Anthony P.
Assign. Date : 10/27/2022 3:01 PM
Description: INDI USA V. SEALED MATTER (DA

Violations: 21 U.S.C. § 841(a)(1)
21 U.S.C. § 846

INDICTMENT

THE GRAND JURY CHARGES:

GENERAL ALLEGATIONS

1. Beginning in or about March 2021, and continuing up to and including October 2022, in the Eastern District of Michigan, the named defendants and others, both known and unknown to the grand jury, engaged in a scheme and pattern of illegal conduct involving the unlawful distribution of prescription drug controlled substances. The named defendants and others, both known and unknown to the grand jury, joined and participated in this conspiracy at different times, played different roles, operated in multiple locations, and engaged in different aspects of the overall conspiracy. The purpose of the conspiracy was for Dr. JUAN BAYOLO, Dr. RENE GONZALEZ GARCIA, and others, to write controlled substance prescriptions, in

exchange for cash payments, that could be filled at various pharmacies. Additionally, prescription pills were sold without a prescription by members of the conspiracy.

At all times relevant to the Indictment:

2. As part of the conspiracy, purported medical practices and clinics were organized and operated, including Priority One Health Management “POHM”, Lincoln Park Health Management “LPHM”, and Priority One Health Essentials “POHE”, and others, at different times and at different locations, within the Metropolitan Detroit area. A fundamental purpose of these entities was to create prescriptions for controlled substances that could be filled at pharmacies. The purpose of filling the prescriptions was not for the legitimate treatment of patients, but rather to obtain controlled substances.

3. The owner and operator of the purported medical practices and clinics was ANGELO FOSTER, AKA CHRIS. BRANDY KING was the manager at each location, and it was her role to run the day-to-day operations of the clinics, which purported to provide health services to patients. ANGELO FOSTER, AKA CHRIS, employed physicians, physician assistants and nurse practitioners to treat the patients at the clinics for the purpose of unlawfully dispensing control substance prescriptions.

4. These medical professionals included Dr. JUAN BAYOLO, Dr. RENE GONZALEZ GARCIA, and others both known and unknown to the grand jury. Each of these medical professionals knowingly prescribed prescription drug

controlled substances outside the course of legitimate medical practice and for no legitimate medical purpose, in furtherance of the scheme. The medical professionals employed in these clinics generated income by electronically prescribing and/or writing controlled substance prescriptions. The prescriptions were issued after a cursory examination by the prescribing medical professional.

5. The opioid prescriptions issued by the medical professionals working at these clinics were not issued for the legitimate treatment of patients, but rather to obtain opioids. The primary prescription opioids illegally prescribed and distributed were Oxycodone, Oxymorphone, Oxycodone-Acetaminophen (Percocet) and Hydrocodone-Acetaminophen (Norco). These drugs are in high demand on the illegal street market. The approximate value, on the street market, of the prescriptions obtained was approximately two million dollars.

6. EDWARD KING, AKA ALEX, financed LPHM, and on occasion, acted as the manager. Further, it was the role of ANGELO FOSTER, AKA CHRIS, BRANDY KING, EDWARD KING, AKA ALEX, and others, to collect cash payments for issuance of the control substance prescriptions.

7. At all times relevant to the Indictment, Dr. BAYOLO was a licensed medical doctor in the State of Florida and was authorized by the Drug Enforcement Administration (DEA) to prescribe Schedule II – V controlled substances by issuing prescriptions, provided that such prescriptions were issued in the normal course of professional medical practice. Dr. GARCIA was a licensed medical

doctor in the State of Arizona and was authorized by the Drug Enforcement Administration (DEA) to prescribe Schedule II – V controlled substances by issuing prescriptions, provided that such prescriptions were issued in the normal course of professional medical practice.

8. It was the role of LATRINA LATRICE WILLIAMS and others, to serve as patient recruiters or marketers, who recruited and maintained a cadre of “fake” patients, in order to obtain an inventory of controlled substances. LATRINA LATRICE WILLIAMS, also served as an employee at LPHM and assisted with the operation of that clinic.

9. As part of the conspiracy, recruited “patients” were be seen remotely by Dr. BAYOLO, Dr. GARCIA and others. ANGELO FOSTER, AKA CHRIS and BRANDY KING required all “patients” to pay cash for office visits, and they charged different amounts of money depending on the quantity, type, and dosage of the prescription opioid that the patient recruiter/marketer requested and received. After a cursory remote examination via laptop or phone, Dr. BAYOLO, Dr. GARCIA, or another practitioner, would write prescriptions for controlled substances, without medical necessity and outside the scope of professional medical practice, to the “patients” recruited by LATRINA LATRICE WILLIAMS and others.

10. As part of the conspiracy, Dr. BAYOLO, Dr. GARCIA and others required each “patient” to have certain records in a patient file before writing a

controlled substance prescription. BRANDY KING created fraudulent medical records, including MRI reports, to give the appearance of legitimacy, and she charged patient recruiters/marketers additional amounts of money for the creation of the fraudulent medical records. Dr. BAYOLO, Dr. GARCIA, and others, would also issue non-controlled maintenance medication prescriptions.

11. ANGELO FOSTER, AKA CHRIS, BRANDY KING, and EDWARD KING, AKA ALEX, paid Dr. BAYOLO, Dr. GARCIA, and others, per controlled substance prescription that was authorized, and they paid in cash or by using peer-to-peer money transfer applications.

12. As part of the conspiracy, Dr. BAYOLO, Dr. GARCIA and others authorized electronic prescriptions for Schedule II controlled substances, which were issued under their DEA license. Most of the unlawful controlled substance prescriptions were paid for in cash. However, in addition, both controlled and non-controlled “maintenance” medications were billed by pharmacies, to health care benefit programs, to include Medicare and Medicaid programs. This “maintenance” medication was used to make physician and/or nurse practitioner’s prescribing practices appear more legitimate, by reducing their percentage of controlled substance prescriptions in comparison to non-controlled substance prescriptions.

13. During the conspiracy, According to MAPS data, between February 1, 2021 (the month in which Priority One was incorporated as a business) through

May of 2022, Dr. Juan BAYOLO prescribed more than 74,000 dosage units of controlled substance medications, including more than 25,000 oxycodone-acetaminophen 10-325mg (commonly known as Percocet) pills, more than 28,000 oxycodone 30mg pills, and more than 10,000 hydrocodone-acetaminophen 10-325mg (commonly known as Norco) pills.

14. According to MAPS data, between September 2021 through June 2022, Dr. Gonzalez GARCIA prescribed more than 71,000 dosage units of controlled substance medications, including more than 31,000 Percocet pills, more than 24,000 oxycodone 30mg pills, and more than 11,000 Norco pills.

15. The opioid drugs prescribed by Dr. Juan BAYOLO and Dr. Gonzalez GARCIA are among the most commonly abused and diverted prescription pills in the Detroit area, and the drugs involved in this conspiracy have an estimated street value of more than \$2.6 million.

COUNT ONE

(21 U.S.C. §§ 841(a)(1), 846 – Conspiracy to Possess with Intent to Distribute and to Distribute Controlled Substances)

D-1 ANGELO FOSTER, AKA CHRIS
D-2 BRANDY KING,
D-3 JUAN BAYOLO, M.D.,
D-4 RENE GONZALEZ GARCIA, M.D.,
D-5 LATRINA LATRICE WILLIAMS,
D-6 EDWARD KING, AKA ALEX

16. Beginning in or about March 2021, and continuing until in or about October 2022, in the Eastern District of Michigan, Southern Division, the

defendants ANGELO FOSTER, AKA CHRIS, BRANDY KING, JUAN BAYOLO M.D., RENE GONZALEZ GARCIA, M.D., LATRINA LATRICE WILLIAMS, EDWARD KING, AKA ALEX, and others, both known and unknown to members of the grand jury, did knowingly, intentionally and unlawfully conspire and agree with each other and others persons not named in this indictment, to possess with intent to distribute and to distribute controlled substances, including but not limited to the Schedule II drug Oxycodone, the Schedule II drug Oxymorphone, Schedule II drug Oxycodone-Acetaminophen (Percocet), and the Schedule II drug Hydrocodone-Acetaminophen (Norco). These prescription drug controlled substances were distributed outside the scope of usual professional medical practice and for no legitimate medical purpose, all in violation of Title 21, United States Code, Sections 846 and 841(a)(1).

FORFEITURE ALLEGATIONS

(21 U.S.C. § 853 – Criminal Forfeiture)

17. The allegations set forth above in this Indictment are hereby incorporated by reference as if they were set forth in full herein for the purpose of alleging forfeiture against each defendant pursuant to Title 21, United States Code, Section 853.

18. Pursuant to Title 21, United States Code, Section 853(a), upon conviction of the controlled substance offense in violation of Title 21, as alleged in Counts One through Sixteen of this Indictment, the convicted defendant(s) shall

forfeit to the United States: (a) any property, real or personal, constituting or derived from any proceeds obtained, directly or indirectly, as a result of such violation; and (b) any property, real or personal, used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such violation. As part of the forfeiture in this case, the government intends to seek a forfeiture money judgment against one or more of the charged defendants.

19. Substitute Assets: If the property described above as being subject to forfeiture, as a result of any act of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or

e. has been commingled with other property that cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. 853(p) to seek to forfeit any property of the defendant up to the value of the forfeitable property described above.

THIS IS A TRUE BILL

s/GRAND JURY FOREPERSON
GRAND JURY FOREPERSON

DAWN ISON
United States Attorney

s/ Regina R. McCullough
REGINA R. MCCULLOUGH
Chief, Health Care Fraud Unit
Assistant United States Attorney

s/Alison A. Furtaw
ALISON A. FURTAW
Assistant United States Attorney

Dated: October 27, 2022

ORIGINALUnited States District Court
Eastern District of Michigan**Criminal Case Co**

Case: 2:22-cr-20563

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Referral Judge: Patti, Anthony P.

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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials: <i>AF</i>

Case Title: USA v. ANGELO FOSTER, et al.County where offense occurred : Wayne and OaklandCheck One: ☒ Felony ☐ Misdemeanor ☐ Petty☒ Indictment/ ☐ Information --- no prior complaint.☐ Indictment/ ☐ Information --- based upon prior complaint [Case number:]☐ Indictment/ ☐ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].**Superseding Case Information**

Superseding to Case No: _____ Judge: _____

- ☐ Corrects errors; no additional charges or defendants.
☐ Involves, for plea purposes, different charges or adds counts.
☐ Embraces same subject matter but adds the additional defendants or charges below:

Defendant nameChargesPrior Complaint (if applicable)

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

October 27, 2022

Date

Alison A. Furtaw

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¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.